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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: STEARNS et al.

Attorney Docket No.: XENOP009

Application No.: 10/606,976

Examiner: Unassigned

Filed: June 25, 2003

Group: 2612

Title: METHOD AND APPARATUS FOR 3-D  
IMAGING OF INTERNAL LIGHT SOURCES

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on November 23, 2004 in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed: Sue Funchess  
Sue Funchess

**INFORMATION DISCLOSURE STATEMENT  
37 CFR §§1.56 AND 1.97(b)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The references listed in the attached PTO Form 1449, copies of which are attached, may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make these references of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits, or (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure

Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-0388 (Order No. XENOP009).

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP



William J. Plut

Limited Recognition under 37 CFR § 10.9(b)

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<b>Form 1449 (Modified)</b>  <b>Information Disclosure Statement By Applicant</b> <small>(See Several Sheets if Necessary)</small>				Atty Docket No. <b>XENOP009</b>	Application No.: <b>10/606,976</b>
				Applicant: <b>STEARNS et al.</b>	
				Filing Date <b>June 25, 2003</b>	Group <b>2612</b>

#### U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A						

#### Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation
							Yes No
	B						

#### Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	C	Simon R. Arridge, "Photo-Measurement Density Functions. Part 1: Analytical Forms", Applied Optics, Vol. 34, No. 31, November 1, 1995, pg. 7395-7409.
	D	Simon R. Arridge et al., "Photo-Measurement Density Functions. Part 2: Finite-Element-Method Calculations", Applied Optics, Vol. 34, No. 34, December 1, 1995, pg. 8026-8037.
	E	J. Chang et al., "Improved Reconstruction Algorithm for Luminescence Optical Tomography when Background Lumiphore Is Present", Applied Optics, Vol. 37, No. 16, June 1, 1998, pg. 3547-3552.
	F	Margaret J. Eppstein et al., "Biomedical Optical Tomography Using Dynamic Parameterization and Bayesian Conditioning on Photon Migration Measurements", Applied Optics, Vol. 38, No. 10, April 1, 1999, pg. 2138-2150.
	G	Richard C. Haskell et al., "Boundary Conditions for the Diffusion Equation in Radiative Transfer", Optical Society of America, Vol. 11, No. 10, October 1994, pg. 2727-2741.
	H	Daniel J. Hawrysz et al., "Developments toward Diagnostic Breast Cancer Imaging Using Near-Infrared Optical Measurements and Fluorescent Contrast Agents", Nature America, Inc., Vol. 2, No. 5, September-October 2000, pg. 388-417.
	I	Vasilis Ntziachristos et al., "Fluorescence Molecular Tomography Resolves Protease Activity in Vivo", Nature Medicine, Vol. 8, No. 7, July 2002, pg. 757-760.
	J	Vasilis Ntziachristos et al., "Experimental Three-Dimensional Fluorescence Reconstruction of Diffuse Media by Use of a Normalized Born Approximation", Optical Society of America, Vol. 26, No. 12, June 15, 2001, pg. 893-895.
	K	B. W. Rice et al., "In Vivo Imaging of Light-Emitting Probes", Journal of Biomedical Optics, Vol. 6, No. 4, October 2001, pg. 432-440.
	L	Mitsuo Takeda et al., "Fourier-Transform Method of Fringe-Pattern Analysis for Computer-Based Topography and Interferometry", Optical Society of America, Vol. 72, No. 1, January 1982, pg. 156-160.
	M	Satoru Toyooka et al., "Automatic Profilometry of 3-D Diffuse Objects by Spatial Phase Detection", Applied Optics, Vol. 25, No. 10, May 15, 1986, pg. 1630-1633.
	N	Bruce J. Tromberg et al., "Properties of Photon Density Waves in Multiple-Scattering Media", Applied Optics, Vol. 32, No. 4, February 1, 1993, pg. 607-616.
Examiner		Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
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**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

William Plut is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of the Beyer Weaver & Thomas, LLP law firm to prepare and prosecute patent applications wherein the patent applicant is the client of the Beyer Weaver & Thomas, LLP law firm, and the attorney or agent of record in the applications is a registered practitioner who is a member of the Beyer Weaver & Thomas, LLP law firm. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) William Plut ceases to lawfully reside in the United States, (ii) William Plut's employment with the Beyer Weaver & Thomas, LLP law firm ceases or is terminated, or (iii) William Plut ceases to remain or reside in the United States on an TN visa.

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**Expires: April 21, 2005**



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